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E.d.P.H. (194⁷) Department.

SERIES.

G.O. NO.

MS. 1743 Edn.

Dated

4th August 1947.

13

[Despatch Abstract.]

Provident Fund - Teachers' Provident Fund Rules - Rule 2(a)
Amendment.- Issued.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

R.C.No.208 J/47.

Office of the Director of Public Instruction, Madras, dated 17-2-47.

From

Dr. S.R.U. Savor, M.A., D.Sc., I.L.S.
Director of Public Instruction, Madras.

To

The Secretary to Government,
Education & Public Health Department, Madras.

Sir,

"Sub: Teachers' Provident Fund - Rule 2(a) relating to admission to the fund - Amendments - submitted for approval.

I have the honour to state that according to rule 2(a) of the Teachers' Provident Fund Rules, the scheme is compulsory for all permanent certificated teachers. The above rule also contemplates that for purposes of first admission to the fund no teacher shall be kept on probation for more than 2 years. When a teacher is kept on probation, he is not permitted to join the fund immediately. In several cases, teachers kept on probation in one school have to seek employment in other schools, where they are again put on probation. In such cases it so happens that teachers do not join the provident fund scheme for some years and the main object of the scheme, viz. that it shall be compulsory for all teachers is frustrated. This difficulty and the principles underlying the question of admission of teachers to the Teachers' Provident Fund were discussed at the meeting of the Inspecting Officers held recently under the Presidentship of the Hon'ble Minister for Education and it was agreed unanimously that in view of the fact that persons who have undergone training have definitely elected the teaching profession, it was unnecessary to insist on their completing a probation for purposes of admission to the Teachers' Provident Fund. This had the entire concurrence of the Hon'ble Minister for Education. With a view, therefore, to enable all qualified teachers to join the fund and derive the benefits of the scheme without any distinction whatsoever, whether they are permanent, acting, temporary or on probation, I submit that the existing rule 2(a) be amended as hereunder. I am taking this opportunity to recast the rule bringing out all its implications clearly:-

"RULE 2. ADMISSION:-

(a) It shall be compulsory for the following categories of employees of aided institutions recognized by the Education Department to be admitted to the benefits of the scheme:-

- (i) ELEMENTARY SCHOOLS: All trained and certificated teachers in schools except Panchayat schools recognised under the Madras Elementary Education Act, 1920.
- (ii) SECONDARY SCHOOLS: All trained and certificated teacher in schools recognised under the Madras Educational Rule
- (iii) TRAINING SCHOOLS: All trained and certificated teachers in schools recognised under the Madras Educational Rules.
- (iv) SPECIAL SCHOOLS:- All trained and certificated teachers in schools recognized under the Madras Educational Rules
- (v) EUROPEAN SCHOOLS: All trained and certificated teachers in schools recognized under the Code of Regulations for European Schools.
- (vi) COLLEGES: All members of the teaching staff of colleges not directly managed and maintained by a Statutory University and recognised under the Madras Educational Rules.
- (vii) ALL CLERKS, LIBRARIANS, ATTENDERS AND OTHERS not belonging to the menial establishment employed in the above mentioned institutions other than elementary schools.

P.T.O.

Persons admitted to the fund shall satisfy the following conditions:-

- (i) They shall be whole time employees of the respective institutions provided that a person employed as a part time teacher in more than one institution shall also be eligible for admission.
- (ii) No teacher who is less than 18 years of age or over 60 years of age shall be admitted to the fund.
- (iii) A teacher who retires from Local Board or Government service after attaining the age of 55 shall not be admitted to the fund on re-employment in an aided school.

Note:- All those who are subscribers to the fund shall continue to contribute to it irrespective of the fact that they may be acting, temporary or on probation in another school where they have taken up service at a later date.

2. It is not necessary to retain the last sentence of the existing rule 2(a) as the condition that the account of every subscriber shall be closed when he attains the age of 60 finds a place under Rule 10.

3. Teachers who get reemployed in aided schools after retiring from Local Board or Government service after attaining the age of 55 need not be admitted to the Teachers' Provident Fund since they have already reaped the benefits of the Local Body provident fund or the General Provident Fund and Pension schemes respectively.

4. The existing Note (2) under rule 2(a) may be inserted as 'Note' under rule 3(a) as I consider this the more appropriate place for this instruction to come in.

5. I request that Government may be pleased to issue orders approving the above amendments as early as possible.

I have the honour to be,
Sir,
Your most obedient servant,

R. Narasimhan

for Director of Public Instruction.

TRB.20/2

SL
20/2

E + PH (BU) Dept.

21/2/3
Com. 14920 B1/47.

Teachers' Provident Fund. Rule 2(a).

Amendment.

From the D. P. G., R. C. No. 208 J/47 D 17.2.47

p 2 of

Memorandum 14920-B1/47.3 E.D.N. D 28/3/1947
a person employed as a part time teacher in more than one institution
The words "shall also be eligible

p 2 of

for admission " in ^{Condition} (1) of the proposed

AF

paragraph of new rule 2(a) Suggest that

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it is not compulsory for ^{such a} person employed

as a part time teacher in more than one

institution to subscribe to the Teachers'

Provident Fund The Director of Public

P. T. O.

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Instruction, Madras, is requested to ^{say} ~~report~~
~~very urgently~~ whether it is the intention:
~~that such persons~~
~~that they need subscribe to the fund if they~~
~~so desire.~~

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28.3.47

To

The D.P.G.

Secy
21/3.

Education Department. 4

From

Dr. S.R.U.Savoor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras.

To

Secretary to Government,
Education and Public Health Department, Madras.

29932

R.C.No. 208 J/47 Dated 17-4-1947.

Sir,

Sub: Teachers' Provident Fund - Rule 2(a)--Amendment.

Ref: Government Memo No.14920 B1/47-3 Edn., dated
23-3-1947.

pp3-4 ante

It is my intention that a part time teacher
employed in more than one institution should also
be eligible for admission to the fund. It is also
compulsory for such a person to subscribe to the
teachers' Provident fund.

R. Narasimhan

for Director of Public Instruction

k.l.17-4.

17/4

Emo. 14920 M/47.

ppl-2 of

~~14/5/47~~

~~14/5/47~~

b/ (5) E JPH (B1) Dept.

Provident Fund. Teachers in non-pensionable service. Amendment to Rule 2(a).

From the Director of Public Instruction, R.C.M.
208 J/47 dt 17.2.47.

Memo no. 14920-B1/47-5 E JPH dt 13/5/1947.

The teaching staff in panchayat schools and colleges maintained by the universities and ~~the~~ ^{small schools & colleges} ~~merials~~ are not eligible for admission to ^{any} ~~the~~ Provident Fund ~~scheme~~ ~~maintained by the local bodies or by the Government.~~ The Director of Public Instruction is requested to explain in detail, at an early date, as to why they are

Education Department
 From (Name) Sri D.S. Reddi, M.A. (Dxon.) To
 Designation Director of Public Instruction, M.B.E.,
 Station Madras. The SECRETARY TO THE GOVERNMENT OF MADRAS, EDUCATION AND PUBLIC HEALTH DEPARTMENT FORT ST. GEORGE, MADRAS.

Enclosures: R.C. No. 208-J/47. dated 20th June 1947.

Sir,
 TEACHERS' PROVIDENT FUND--Amendments to Rule 2 (a).
 Reference:- Government Memorandum No. 14920-B1-5/47-Edn., dated 13.5.1947.

With reference to the Government Memorandum referred to above I have the honour to state as follows:--

2. As regards the admission of Panchayat school teachers to the Provident Fund scheme, attention of Government is invited to their Memo. No. 30556-G/39 dated 3.1.1941. It was stated therein that the question of transferring the control of Panchayats to Collectors of Districts was under consideration and that after the necessary legislation had been undertaken for this purpose, the question of instituting a Provident Fund for all employees of Panchayats including teachers might be considered. The Government therefore did not at that time consider it necessary to admit Panchayat school teachers to the Teachers' Provident Fund for teachers in Educational institutions under Private Managements. But Government allowed only such of the teachers in Panchayat schools as have already joined the Teachers' Provident Fund to continue to subscribe. They also ordered in G.O. No. Ms. 1138-Edn., dated 22.7.1941 that teachers in Panchayat schools would not be allowed to join the Teachers' Provident Fund newly. This question was subsequently raised and the Inspector of Local Boards and Municipal Councils was consulted in regard to the Panchayat school teachers. The Inspector reported that till the new enactment, which it was reported was under preparation, was published it might not be possible to say whether any provision had been made therein for a scheme of Provident Fund for teachers in Panchayat Board Schools.

are not given the benefits of the Provident Fund.

16-5-47

The D.P.G.
 Separated
 17/5

10/2/47

(A)/19

3. As regards teaching staff in colleges directly managed and maintained by Statutory Universities in this Province I may state they have separate Provident Fund Schemes. The staff in other Aided colleges are allowed to contribute to the Teachers' Provident Fund for teachers and are already enjoying the benefits of the Fund.

4. Menials employed in aided institutions are not admitted to the Teachers' Provident Fund as their pay is very meagre and they will be unable to pay their contributions regularly every month. They are in most cases paid from contingencies and their tenure is not certain.

F. Narsimhan

For Director of Public Instruction.

E & P H (BID) Dept.

The papers quoted on p 8 ante have been called for from MRO, Chittoor. This may be over till 28/6/47

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26/6/47

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26.6.47

10 Telephonic Message (7) E & P H (BID) Dept.

Com. 16920 B/47. From the Asst. Secy to Government, E & P H. Dept.

To the Dy. D.P.O., Office of the DPO, Madras.

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Teachers' Provident Fund - Amendment to Rule 2(a) - Rep. DPO's letter Rcm. 208 J/47 dated 20.6.47

Issued
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Please arrange to furnish

for

Copy of Govt. Memo no. 30556 C/39 dt. 3.1.1941 referred to in the letter cited above, as it is not readily available.

28/6/47
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29.6.47

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DRAFT FOR APPROVAL.

Date.	Initials.
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SUBJECT :—

When received for
fair copying ..

When copied ..

When examined..

When signed

When despatched.

READ AGAIN _____, dated _____ 19____

19

READ ALSO :—

No. _____ From the _____, No. _____, dated _____ 19 _____

" _____ " _____ " _____ " _____ 19 _____

19

Order Ms. No. _____, dated _____ 19____
Resolution Rout.

C.F. 32 (a).

EDUCATION Department

From (Name) **SRI D.S.REDDI, M.A.(Oxon)**

M.B.E.,
DIRECTOR OF PUBLIC INC.

Station

INSTRUCTION,
MADRAS.

Received _____ Registered _____

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The SECRETARY TO GOVERNMENT,
EDUCATION AND PUBLIC HEALTH DEPT.,
M A D R A S.

Enclosures:

No. RC. 208 J/47 dated 7th July 1947

Sir,

SUB:- Teachers' Provident Fund = Rule 2(a)
relating to admission to the fund =
Amendments suggested:

REF:- Government Telephonic Message dated
2nd July 1947.

With reference to the Government Telephonic Message referred to above, I have the honour to submit a copy of Government Memorandum No.30556 C/39 dated 3rd January 1941.

for DIRECTOR OF PUBLIC INSTRUCTION.

P.T.O

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GOVERNMENT OF MADRAS,
Education and Public Health Department.

MEMORANDUM No. 30556 C/39-3 dated 3rd January 1941.

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SUB:- Provident Fund = Teachers in Panchayat Schools:
REF:- Letter from the Director of Public Instruction,
ROC. No. 2307 E/33 dated the 26th July 1939.

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The Director of Public Instruction is informed that the question of transferring the control of Panchayats to Collectors of Districts is under consideration. After the necessary legislation has been undertaken for this purpose, the question of instituting a provident fund for all employees of Panchayats including teachers may have to be considered. In the meanwhile the Government do not consider it necessary to admit Panchayat school teachers to the benefit of the Provident Fund established for teachers in educational institutions under private management.

E.C. Wood,
Secretary to Government.

/True Copy/

1/2 R. Narasimhan
for Director of Public Instruction.

KAN.8/7

Education and P.H. Department (B1).

97
4/8
PROVIDENT FUND - Teachers' Provident Fund Rules -

Rule 2(a) - Amendment - Issued.

7/1-2 of
Further action
9-2/8/47
From the Director of Public Instruction, R.C.No.208-J/47
dated the 17th February 1947.

ORDER MS.NO. 1748 EDUCATION, dated 4. 8-1947.

The following amendments to the rules relating to the Provident Fund for teachers in non-pensionable service will be published in the Fort St. George Gazette:

AMENDMENTS.

I

For rule 2(a) of the said rules, the following shall be substituted, namely:-

"Rule 2. ADMISSION:- (a) It shall be compulsory for the following categories of employees of aided institutions recognised by the Education Department to subscribe to the fund:-

(i) ELEMENTARY SCHOOLS:- All trained and certificated teachers in schools recognised under the Madras Elementary Education Act, 1920, except Panchayat schools.

(ii) SECONDARY SCHOOLS:- All trained and certificated teachers in schools recognised under the Madras Educational Rules.

(iii) TRAINING SCHOOLS:- All trained and certificated teachers in schools recognised under the Madras Educational Rules.

(iv) SPECIAL SCHOOLS:- All trained and certificated teachers in schools recognised under the Madras Educational Rules.

(v) EUROPEAN SCHOOLS:- All trained and certificated teachers in schools recognised under the Code of Regulations for European Schools.

(vi) COLLEGES:- All members of the teaching staff of colleges which are not directly managed and maintained by a University in the Province and which are recognised under

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ORDER MS.NO.	EDUCATION, dated	1947.
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The following amendments to the rules relating to the Provident Fund for teachers in non-pensionable service will be published in the Port St. George Gazette:

AMENDMENT 1.
I.

For rule 2(a) of the said rules, the following shall

"Rule 2. ADMISSION: ~~1~~

(a) It shall be compulsory for the following cate-

gories of employees of aided institutions recognised by
Subscribe to the funds

the Education Department to ~~be admitted to the benefits~~

(i) ELEMENTARY SCHOOLS:- All trained and certificated

teachers in schools (except Panchayat schools) recognised

under the Madras Elementary Education, Act, 1920,

	(ii) SECONDARY SCHOOLS:- All trained and certificate
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teachers in schools recognised under the Madras Educa-
tional Rules.

(iii) **TRAINING SCHOOLS:-** All trained ^{and certificated} teachers in

Educational Rules.

(vii) ALL CLERKS, LIBRARIANS, ATTENDERS AND OTHERS not belonging to the menial establishment employed in the above mentioned institutions other than elementary schools.

Persons admitted to the fund shall satisfy the following conditions:—

(1) They shall be whole-time employees of the respective institutions provided that a person employed as a part-time teacher in more than one institution shall also be eligible for admission.

(2) No teacher who is less than 18 years of age or has completed 60 years of age shall be admitted to the fund.

(3) A teacher who retires from local board or Government service after completing the age of 55 shall not be admitted to the fund on re-employment in an aided school.

NOTE: Members of the All those who are subscribers to the fund shall continue to contribute to it irrespective of the fact that they may be acting temporary or on probation in another school where they have taken up service at a later date.

Under rule 3(a) of the said rules, the following note shall be inserted:—

The existing Note (2) under rule 2(a) shall be deleted and inserted as Note under rule 3(a) of the rules.

Note: Subscribers who proceed on war service may, if they so desire, continue to subscribe to the fund for the period of such service, their subscription being based on the salary they were receiving on the date of their leaving educational service provided they have a lien on their posts in the schools. Contributions by managements in respect of such teachers will be at the option of the management."

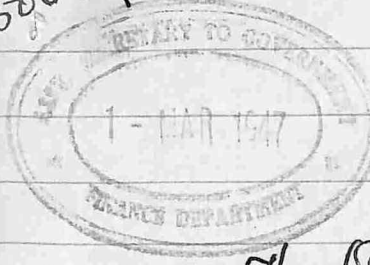
To The D.P.I.
The A.G.
The S.G.P. for publication of the notification in the F.S.G.G.).

NOTE: The draft order on pages 1-2 above is in accordance with the recommendations of the Director of Public Instruction in the c.f. It may be sent to Legal and Finance.

and to legal no. for scrutiny before circulation

14920-B1/47-1E8m
28/2/47

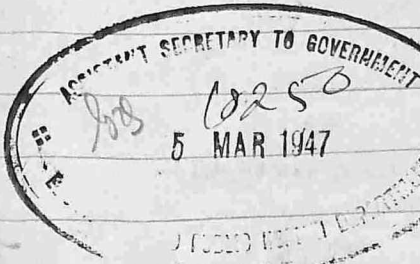
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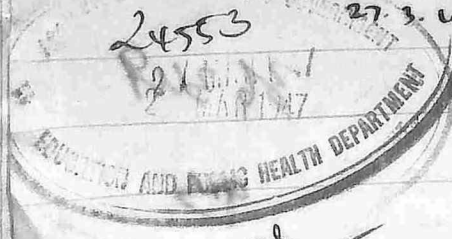
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14920-B1/47-2E8m
7/3/47

2571

8 - Nov 1947
2571-1



The draft order on pp. 1-2 above may be accepted.

3-3-47

6.3.47

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E & PH (B1) Dept.

The file may now be sent to legal no for scrutiny.

6.3.47 Legal

Legal Department.

The words "shall also be eligible for admission" in clause (1) of the second paragraph of new rule 2(a) suggest that it is not compulsory for the persons referred to in that clause to subscribe to the Fund. It is presumed that this is the intention. Subject to this remark, the alterations indicated in red ink on the draft may be made.

26/3/47 E & P.H.

Please see the note of the Legal Department above. The point at 'x' above may be ascertained from the Director of Public Instruction, Madras.

P.T.O.

In regard to item (1), the question whether teachers in Panchayat schools should be admitted to the benefits of the Provident Fund established for teachers in educational institutions under private management was considered in 1941 and it was decided that it was unnecessary to admit them. As in the case of teachers in schools under the control of district boards and municipal councils, a separate provident fund should be instituted for employees of Panchayat schools. A.A. may perhaps be consulted as to whether provision has been made in the Panchayat Bill for provident fund for the employees of Panchayats.

18/7/47
10-7-47
12-7-47

18/7/47
14/20-10/47
14/7/47

The file has been sent to this department with reference to 'A' above. The proposed new Village Panchayats Bill is under consideration by a Committee of Ministers. It is not possible to state when the draft Bill will be ready. Only when it is ready it would be possible to say whether provision regarding 'A' above has been made in it or not.

2. It may be pointed out that the Rules for the working of the Provident Fund maintained by Dt Bds provides for officers and servants of Dt Bds which are classified as major are eligible to subscribe to the P.F. maintained by the Dt Bds concerned.

3. The file may be returned to E & P.H. dept.

By 9/7/47

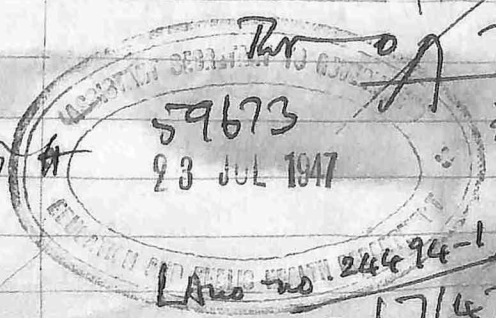
18/7/47

24/7/47



15/7/47

p 86 of Statutory Rules BK 157-B



22/7/47

(12)

Please see the minutes of H.M. (Edn) on p 5 ante and the reply of the D.P. on pp 8-9 to the three points mentioned therein. In the circumstances stated by the Director, no action seems necessary in respect of items (2) and (3) in the minutes. In reply to item (1), it is submitted that the proposed Village Panchayats Bill is under consideration by a Committee of Ministers and that it is not possible to say whether any provision has been made for the institution of separate Provident Fund for the employees of Panchayat Board including teachers. But the officers and servants of P. Bds which are classified as 'major' are eligible to subscribe to the P.F. maintained by Dt. Bds - vide rule 3 of the rules for working of the P.F. maintained by Dt. Bds. Only very few minor panchayats will be maintaining elementary schools under their management.

for ante

p 86 of Statutory Rules - BK 157-B

27-7-47

2. The file may now be circulated to H.M. (Edn) for orders whether the draft order already put up and approved by legal may be issued.

A. Chinn

23/7/47
18/7/47
23/7/47

Officers and servants of Panchayat Board which are classified as minor shall also be eligible to contribute to Provident Fund. A.A. may be requested to place his aspect also before the Committee which considers the New Village Panchayats Bill.

What is the question? What is the answer? What is the question? What is the answer?

27-7-47

A.S. 11

29/7/47



may be issued TSA 2-8-47

[Go. MS. no. 1748 Gen. dt 4.8.1947]

pp 13-14 ante (C67)

Please see the rules and orders
in circulation on p. 7 ante. The draft order
has since been issued. A copy of the rules
from pp 6-7 ante may be sent to L. A. for
necessary action. - vide the linked file
for extract.

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9-8-47

* Sent to LAUD.
for necessary action
with VO. no.
64721 181/47-1 Gen
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Gen. MS. no. 1748

Gen. MS. no. 1748

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9-8-47